

Intelligence Community Staff

02 SEP 1976

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MEMORANDUM FOR: National Foreign Intelligence Board Principals

STAT FROM :
Deputy to the DCI for the Intelligence Community

SUBJECT : Response to SSCI Subcommittee on Charters and Guidelines

1. By letter of 10 August 1976 (copy attached), Senators Huddleston and Hatfield, Chairman and Vice Chairman of the Subcommittee on Charters and Guidelines of the Senate Select Committee on Intelligence asked the DCI to:

"Draw up a list of (1) changes you believe are desirable in the extent and nature of the authority of the Intelligence Community agencies and departments under your jurisdiction; and (2) principles which you and your staff believe should be embodied in charters for these departments and agencies."

2. In response, it is proposed the DCI forward a three-part paper:

a. Part I would suggest changes needed in the National Security Act of 1947 to define the Community responsibilities of the DCI, create an Intelligence Community Staff, provide for two Deputy DCI's and make some specific adjustments in CIA authorities.

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b. Part II would indicate desired changes in the CIA Act of 1949.

c. Part III, draft of which is attached, would deal with "Charters for Major Organizational Elements of the Intelligence Community."

3. Any comments you may have on the attached Part III would be appreciated. NFIB Principals of Defense Department agencies are advised that a similar letter has been sent to Mr. Latimer. Because Senators Huddleston and Hatfield are expecting an early response, it is requested that any comments you may have be provided within two days of receipt of the attached draft.



STAT

Attachments:
as stated

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Attachment

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United States Senate

RFIB-D-27.10/5

SELECT COMMITTEE ON INTELLIGENCE

(PURSUANT TO S. RES. 400, 94TH CONGRESS)

WASHINGTON, D.C. 20510

August 10, 1976

IN REPLY PLEASE
REFER TO R# 4290

Mr. George Bush
Director of Central Intelligence
Central Intelligence Agency
Langley, Virginia

Dear Director Bush:

As you know the Senate has established, by the passage of S. Res. 400 of the 94th Congress, the Senate Select Committee on Intelligence. Section 12(a)(2) of S. Res. 400 provides that the Senate Select Committee shall study the "extent and nature of the authority of the departments and agencies of the Executive branch to engage in intelligence activities and the desirability of developing charters for each intelligence agency or department."

As Chairman and Vice Chairman of the Senate Select Committee's Subcommittee on Charters and Guidelines, we are writing to ask for your assistance in this study. During the months ahead the Subcommittee and the Subcommittee's staff will meet with representatives of all agencies and departments which constitute the United States Intelligence Community. These meetings will be to determine the authority of the various departments and agencies, to examine the potential effects of proposed organizational changes on the accomplishment of the vital intelligence mission of the United States, and to discuss new or revised charters for the Intelligence Community agencies and departments.

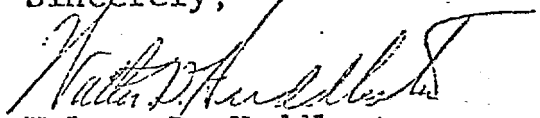
In order to accomplish our mission under S. Res. 400, we are requesting that you designate one or more members of your staff who will be able to meet regularly with the Subcommittee or the Subcommittee's staff to discuss charter issues as they relate to Intelligence Community

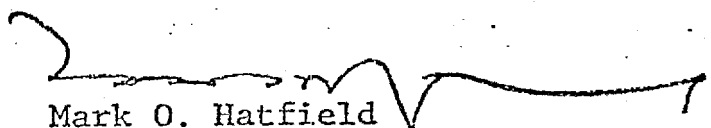
Mr. George Bush
Page Two
August 10, 1976

agencies and departments under your jurisdiction and notify the Subcommittee of your choice of designees. We would also appreciate it if you, or your staff, could within the next three weeks, draw up a list of (1) changes which you believe are desirable in the extent and nature of the authority of the Intelligence Community agencies and departments under your jurisdiction; and (2) principles which you and your staff believe should be embodied in charters for these departments or agencies. The lists of changes and principles will allow the Subcommittee to begin, with you, a cooperative dialogue designed to strengthen America's Intelligence Community and to insure that it operates in accordance with the laws of the United States.

There has been no similarly systematic congressional review of the extent and nature of the authority of the agencies and departments which make up the United States Intelligence Community since the passage of the National Security Act of 1947. The study which the Subcommittee on Charters and Guidelines is undertaking carries with it enormous responsibility. The end product of the study may be landmark legislation in this area. We look forward to your assistance in this challenging venture.

Sincerely,


Walter D. Huddleston
Chairman, Subcommittee on
Charters and Guidelines


Mark O. Hatfield
Vice Chairman, Subcommittee
on Charters and Guidelines

92. Hd

III. Charters for Major Organizational Elements of the Intelligence Community. Any possible requirement for a statutory charter for an individual organization of the Intelligence Community should be separately addressed in terms of the responsibilities and functions which that particular organization is expected to fulfill rather than as part of an omnibus bill applicable to the entire Community.

A. The Central Intelligence Agency is a national intelligence organization, highly specialized in its work, and not an integral part of any larger governmental organization. ^{continues to} It requires a legislative charter of its own.

B. No requirement is seen for legislation concerning the intelligence functions and offices of those organizations in which the foreign intelligence elements are small in size, their functions are directly related to the overall mission of the organization of which they are a part, and personnel salaries represent almost the entire cost. In this category are the foreign intelligence elements of the Department of State, the Department of the Treasury and the Energy Research and Development Administration.

C. Any need for statutory provision for the Intelligence Division which is the foreign intelligence element of the Federal Bureau of Investigation should be addressed in terms of whether there is need for legislation with respect to the Bureau as a whole and not separately.

D. Because intelligence activities of the Department of Defense represent such a major portion of the intelligence resources of the United States Government; and since some Defense Department organizations fulfill national as well as departmental intelligence responsibilities, the charter question is inherently complicated.

(1) The Defense Intelligence Agency and the intelligence organizations of the military services are essentially departmental in nature, although they contribute to the production of national intelligence through their collection and analytic activities. Determination of the organization and functions of these intelligence organizations is inherent in the responsibilities of the Secretary of Defense and the Secretaries of the military departments. Additional statutory authorization is not required.

(2) The National Security Agency serves the needs of the entire Government but responsibility for this activity has been assigned to the Secretary of Defense. Because of the highly classified nature of much of the effort for which the NSA is responsible, it, of necessity, operates under classified directives. The existing National Security Council Directives, Director of Central Intelligence Directives, and Defense Department regulations are deemed adequate

for the purpose, and no statutory charter considered to be required. From the standpoint of organization and manning, Defense Department authorities already are sufficient for the purpose.

(3) The national reconnaissance activities conducted on behalf of the U.S. Government involving Defense Department elements are highly classified in nature. Compartmented classification systems are applied to the planning, programming and conduct of the reconnaissance operations and to the utilization of the products therefrom. The Secretary of Defense and the Director of Central Intelligence are jointly involved in this effort and their authorities are sufficient for the organization, management and functioning of this activity. No need is seen for legislation specifically applicable to the reconnaissance program.

E. None of the foregoing comments concerning the need for legislation, or the perceived absence of such need, as regards individual elements of the Intelligence Community are intended to imply there is no need for an overall statement of the role and function of the foreign intelligence program of the United States Government. Such a statutory statement, positive in tone and general in nature, could serve a very useful purpose. It could be included as an amendment to the National Security Act of 1947 or be a separate legislative act.

(1) Such legislation could set forth the basic purposes of national intelligence activities and define the relationship between the Congress and the intelligence agencies of the Executive Branch. Statutory provision for exclusivity in jurisdiction for intelligence oversight would be helpful, as also would provision for establishment of rules which will assure the responsible handling of sensitive intelligence information in the Congress.

(2) Such legislation, however, should not deal with the structure and procedures of the Intelligence Community, nor the specific roles and responsibilities of the departmental components of the Community.

(3) Considerable attention already has been given to the "thou shalt not" restrictions on intelligence activities, e.g., Executive Order 11905, and there is need for positive statement of the activities which the Intelligence Community is authorized to undertake.

F. Unless the Senate Select Committee on Intelligence envisages a major and drastic revision of the functioning and structure of the Intelligence Community, little if any need is seen for Committee attention to statutory charters for elements of the Community other than the DCI's Intelligence Community Staff and the Central Intelligence Agency.

Cover Memo H-2 to NFIB-D-27-10/5
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Remarks:

The attached material is for discussion at Monday's Coordination Group Meeting.

FOLD HERE TO RETURN TO SENDER

FROM: NAME, ADDRESS AND PHONE NO.

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Remarks:

Per Mr. Sullivan's request for item 3 from
the 2 September DDJ.

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EXECUTIVE SECRETARIAT

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Remarks:

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171-3354
United States Senate

SELECT COMMITTEE ON INTELLIGENCE

(PURSUANT TO S. RES. 400, 94TH CONGRESS)

WASHINGTON, D.C. 20510

September 1, 1976

Mr. George Bush
Director of Central Intelligence
Central Intelligence Agency
Langley, Virginia

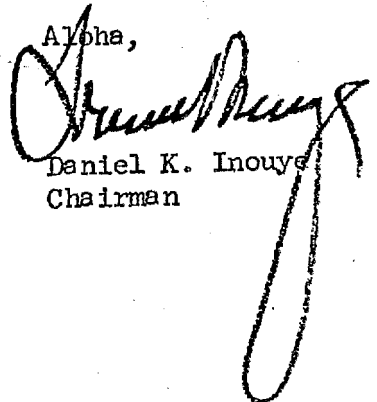
Dear Mr. Bush:

The New York Times carried an article this morning reporting statements made by the Director of the Arms Control and Disarmament Agency, Mr. Fred C. Ikle, stating that a new missile, the SS-X-20, was a "massive, unwarranted and unexplained expansion." The article implied that this missile had been introduced into Eastern Europe.

The Committee would appreciate a full report on the SS-X-20, including any deployments of this missile or any change in strategic relationships between the United States and the Soviet Union implied by the attached article.

Thank you for your continued assistance.

Alpha,


Daniel K. Inouye
Chairman

Enclosure

THE NEW YORK TIMES

THE NEW YORK TIMES, WEDNESDAY, SEPTEMBER 1, 1976

U.S. Aide Accuses Soviet on New Missile

By DAVID BINDER
Special to The New York Times

WASHINGTON, Aug. 31—The Ford Administration's top arms control official accused the Soviet Union today of attempting to alter the strategic nuclear weapons balance with the United States by introducing a new missile in Eastern Europe.

The official, Fred C. Iklé, director of the Arms Control and Disarmament Agency, said that the deployment of the new missile, with multiple independently targetable warheads, was "a massive, unwarranted and unexplained expansion."

He said in a speech that the deployment could jeopardize efforts to achieve a new agreement limiting strategic arms between the Soviet Union and the United States.

Negotiations on a second strategic arms agreement have been stalled for 10 months because of a conflict over inclusion of a new Soviet bomber, called Backfire by the Atlantic alliance, and of United States cruise missiles.

Existence of the new Soviet regional missiles was disclosed last month in a report to Congress by President Ford.

The new missile is identified by United States authorities as the SS-X-20, an intermediate-



The New York Times
Fred C. Iklé

range modification of the SS-X-16, which is classified as an intercontinental ballistic missile. The SS-X-20 is said to employ the first two stages of the SS-X-16 and is reported to be mobile.

In its intermediate-range version, the new missile is considered to have a range of less than 3,000 miles.

Commenting Aug. 4 on the

Ford report, Konstantin Georgiyev wrote in Pravda, the Soviet Communist Party daily, that there was no foundation for the suggestion that the Soviet Union's activities in missile development represented a change in strategic arms policy.

Mr. Iklé, in a speech in Los Angeles before the Town Hall of California, declared that the Soviet Union's "strength in regional nuclear bombers and missiles grows like a towering dark cloud over Europe and Asia."

Mr. Iklé added:

"What is the military mission of their new medium-range ballistic missile? Why are they adding to this arsenal? What—we must ask with deep concern—is the possible political purpose?"

Mr. Iklé recalled that the Soviet Union's negotiating position in the strategic-arms talks demanded restrictions on United States medium-range nuclear forces but without agreement to comparable restrictions on the Soviet side.

Asked to comment on Mr. Iklé's remarks, other Administration officials including the SS-X-20, might have developed such a momentum that the entire concept of limiting strategic arms was threatened.

Kuwaiti Moves Linked to Fear of P.L.O.

Special to The New York Times
WASHINGTON, Aug. 31—

In addition, Sheik Sabah al-Salem al-Sabah, the head of the Kuwaiti ruling family, is reported to have fled to Kuwait, where a Syrian Airlines office was bombed.